

AO 247 (02/08) Order Regarding Motion for Sentence Reduction

UNITED STATES DISTRICT COURT

for the

Southern District of New York

USDC SDNY

DOCUMENT

ELECTRONICALLY FILED

DOC #:

DATE FILED: 8/23/11

United States of America)

v.)

Wilfredo Morales)

Date of Previous Judgment: 7/12/06)

(Use Date of Last Amended Judgment if Applicable))

Case No: 02 Cr. 583

USM No: 51934-054

Lawrence D. Gerzog

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☐ the defendant ☐ the Director of the Bureau of Prisons ☒ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 276 months is reduced to 233.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)Previous Offense Level: 38Amended Offense Level: 36Criminal History Category: IICriminal History Category: IIPrevious Guideline Range: 322 to 382 monthsAmended Guideline Range: 270 to 322 months**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**☐ The reduced sentence is within the amended guideline range.

☒ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):**III. ADDITIONAL COMMENTS**

Except as provided above, all provisions of the judgment dated 7/12/06 shall remain in effect.

IT IS SO ORDERED.Order Date: August 19, 2011


Judge's signature

Effective Date: _____
(if different from order date)

William H. Pauley III, U.S.D.J.

Printed name and title